

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ROBERT EARL BURNEY, JR., )  
                                  )  
                                  )  
Petitioner,                )  
                                  )  
                                  )  
v.                            )                           1:12CV8  
                                  )  
                                  )  
MAJOR MCRAINEY, et al., )  
                                  )  
                                  )  
Respondent(s).            )

**ORDER ADOPTING RECOMMENDATION**

The Recommendations of the United States Magistrate Judge [Docks. ## 33, 39] were filed with the Court in accordance with 28 U.S.C. § 636(b) and, on April 16, 2012, and July 23, 2012, respectively, were served on the parties in this action. No objections were filed to either Recommendation within the time limits prescribed by § 636.

The Court hereby adopts the Magistrate Judge's Recommendations.

**IT IS THEREFORE ORDERED** that Petitioner's "Motion for Injunction Against Any Further Court Proceedings in File #11CRS55181" [Dock. # 32] and Petitioner's "Motion for Injunction" [Dock. # 38] are **DENIED** without prejudice

in light of the Judgment entered on March 1, 2012 [Dock. # 18], and  
Richardson v. Virginia Dep't of Corr., 437 Fed. Appx. 235 (4th Cir. 2011).

This the 31<sup>st</sup> day of January, 2013

/s/ N. Carlton Tilley, Jr.  
Senior United States District Judge